

Notice of Allowability

Application No.

10/826,499

Examiner

Jonathan Ouellette

Applicant(s)

KAPLAN, DONALD

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/30/2007.
2. ☒ The allowed claim(s) is/are 1-19, 38-57, 102 and 103.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20070511
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with the Applicant's representative, Brennan Swain, on 5/11/2007 (Reg.No. 43,175).
3. The application has been amended as follows:
4. Cancel Claims 20, 22-37, 58-67, 74-84, 86-101, and 109.
5. Claim 1, line 14, replace "selecting" with "automatically retrieving".
6. Claim 38, line 14, replace "selecting" with "automatically retrieving".

Response to Amendment

7. Claims 21, 68-73, 85, and 104-108 have been cancelled by amendment, and Claims 20, 22-37, 58-67, 74-84, 86-101, and 109 have been cancelled by Examiner's Amendment; therefore, Claims 1-19, 38-57, 102, and 103 are currently pending in application 10/826,499.

Claim Rejections - 35 USC § 103

8. The rejection of Claims 1, 2-9, 11-13, 15-26, 29-47, 49-51, 53-90, 93-101, and 104-106 under 35 U.S.C. 103 (a) as being unpatentable over DeLorme (US 5,948,040) is withdrawn due to Applicant's amendments.

Allowable Subject Matter

9. **Claims 1-19, 38-57, 102, and 103 are allowed.**

10. The following is an examiner's statement of reasons for allowance:

11. As per **independent Claims 1, 38, 102, and 103**, the prior art does not teach or suggest a method/system for providing travel services to a person traveling to a geographic location, comprising: providing a database including travel information road construction information, terrorism information, suggested safety tip information, legal information and suggested vaccinations pertaining to one or more geographic locations, wherein said information is automatically retrieved from said database based on the input of the geographic location of the user.

12. As per **independent Claims 1 and 38, DeLorme (US 5,948,040)** discloses a method for providing travel services to a person traveling to a geographic location, comprising: a. providing a database including travel information (TRIPS system), pertaining to one or more geographic locations, wherein any of said information can be selectively retrieved from said database based on the geographic location to which it pertains (Fig.5d, restaurants); b. providing counseling services (C15 L16-22, private business or public agency uses trips system to provide information/counseling to a user via the telephone or over-the-counter), wherein said providing counseling services comprises receiving information regarding said traveler's circumstances (direction of travel) and geographic location, selecting information from said database based on said traveler's circumstances and geographic location, and providing said information to said traveler (Abstract, C32-C34, C71-C75); and c. accessing

information from said database at a specific geographic location using a computer terminal, wherein information pertaining to said geographic location is automatically uploaded to said computer (Fig.5d, C32-C34, C71-C75).

13. However, Delorme fails to disclose a method/system for providing travel services to a person traveling to a geographic location, comprising: providing a database including travel information road construction information, terrorism information, suggested safety tip information, legal information and suggested vaccinations pertaining to one or more geographic locations, wherein said information is automatically retrieved from said database based on the input of the geographic location of the user, as claimed by the independent claims.
14. As per **independent Claims 102 and 103**, DeLorme discloses a method of providing travel services to a person traveling to a geographic location, comprising: a. associating with one or more service providers; c. providing said traveler with a password (C37 L3-15, registration password); e. a mobile phone including a button configured to transmit the geographic location of said traveler upon depression of said button (GPS location system); f. providing a first telephone number; h. providing a database of travel information, said travel information pertaining to one or more geographic locations, said database comprising the names, addresses and phone numbers of said service providers, wherein said travel information can be selectively retrieved from said database based on the geographic location to which it pertains, and wherein said database is further operatively coupled to a computer terminal adapted to display said travel information from said database; k. providing an internet web site, wherein said web site is configured to receive information concerning said traveler's

circumstances and geographic location, wherein said web site is operatively coupled to said database of travel information and configured to display said travel information; l. providing counseling services to said traveler (C15 L16-22, private business or public agency uses trips system to provide information/counseling to a user via the telephone or over-the-counter), wherein said providing counseling services comprises receiving information regarding said traveler's geographic location and circumstances, selecting information from said database based on said traveler's geographic location and circumstances, and providing said selected information to said traveler, wherein said traveler accesses said counseling services by at least one of calling said first telephone number or by transmitting a request for said counseling services via said web site; m. wherein in response to a request from said traveler or a depression of said button of said mobile phone, a rescue service provider is dispatched to said geographic location of said traveler (C30 L50-56, "dumbed-down" push button system for rescue services; C74 L11-15, the button could be the routing button).

15. Delorme fails to expressly disclose providing said traveler with an identification card including name and address of said traveler and a photograph of said traveler.
16. However, Delorme does disclose registering users and providing membership information on hand-held devices (C21, C37), and Official notice is taken that I.D. Cards were well known at the time the invention was made as a form of user identification, and it would have been obvious to issue users ID cards as an additional form of membership identification
17. Delorme fails to expressly disclose providing said traveler with a mobile phone.
18. However, Delorme does disclose providing the user with the necessary software (CD-Rom) to operate the trips system (C13 L58-67), and it would have been obvious to one of ordinary

Art Unit: 3629

skill in the art at the time the invention was made to provide the travel user with a phone that would be compatible with the Trips system, in order to increase system effectiveness and customer service by providing users with the tools necessary to use the travel information system (software, Phone, Computer, etc.).

19. Delorme fails to expressly providing a voice mail system adapted to record and store messages provided by said traveler, and further adapted to play back said messages; j. providing a second phone number for accessing said messages provided by said traveler. However, official notice is taken that voice mail system were well known at the time the invention was made as a method for leaving automated messages for users unable to process/answer the call, and would simply be a matter of the user leaving a message at their personal phone number/voice mail, which they could check at their leisure.
20. DeLorme fails to expressly disclose providing said traveler with a password, wherein prior to said transporting of said traveler by said rescue service provider, said traveler provides said password to said rescue service provider.
21. However, Delorme does disclose an emergency response component to the Trips system (C71-C75), and the ability to make reservations for service provides - confirming reservation with a reservation confirmation code (C21).
22. Therefore, it would have been obvious to incorporate the reservation system when scheduling a emergency response call; however, such a system would be unrealistic, as a emergency response team would lawfully be required to assist in an emergency once on-site, whether the person in need had a password or not.

Art Unit: 3629

23. DeLorme fails to expressly disclose whereupon said traveler is transported by said provider of rescue service from said geographic location to a location of greater safety.
24. However, DeLorme does disclose the ability to request help from rescue services (C30 L50-56), and it would have been obvious for the rescue service personnel to transport the user to a location of greater safety, as it is the obvious role of rescue service/ambulance to provide transport of victims to rescue facility (location of greater safety).
25. Finally, Delorme fails to expressly disclose providing said traveler with an emergency kit, said emergency kit comprising food and water; and providing said traveler with protective clothing adapted for use in said geographic location.
26. **Marcon (US 2001/0052142 A1)** discloses protective clothing and a emergency kit to be used by travelers (abstract, Para 0022), and it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the user with a equipment that would best prepare the user for travel, in order to ensure a full travel outfitting service, wherein complete travel preparation is provided to the customer.
27. However, neither Delorme nor Marcon (individually or in combination) teach or disclose a method/system for providing travel services to a person traveling to a geographic location, comprising: providing a database including travel information road construction information, terrorism information, suggested safety tip information, legal information and suggested vaccinations pertaining to one or more geographic locations, wherein said information is automatically retrieved from said database based on the input of the geographic location of the user, as claimed by the independent claims.

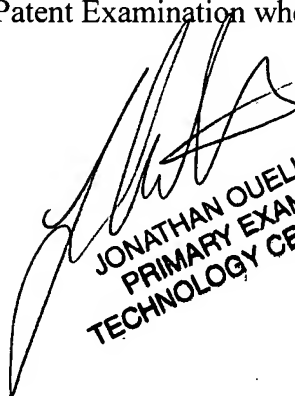
Art Unit: 3629

28. The remaining **dependent Claims 2-19 and 39-57** are considered allowable, as they are dependent and based off of an allowable independent claim.
29. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
31. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for the organization where this application or proceeding is assigned (571) 273-8300 for all official communications.
32. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is (703) 308-1202.

May 13, 2007


JONATHAN OUELLETTE
PRIMARY EXAMINER
TECHNOLOGY CENTER 3600